THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.13887 of 2006

25.7.2006

Between:

B.Meeramma, W/o.late Jacob

... Petitioner

AND

The Mandal Revenue Officer, Kurnool
And another

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.13887 of 2006

ORDER:

The petitioner is statedly pattadar and owner of agricultural land admeasuring Acs.1.88 in survey Nos.128/1 and 128/5A situated in Mamidalapadu Village in Kurnool District under registered sale deed dated 21.7.1982. The petitioner sold away an extent of Acs.0.72 by way of registered sale deed dated 31.12.2005. It is alleged that as he required money for his domestic necessities and offered the remaining land to sell. But the second respondent raised objection regarding the ownership of the land on the ground that he received a communication from the Mandal Revenue Officer, Kurnool (MRO), the first respondent herein stating that the land was patta land, which was transferred to the petitioner on 21.7.1982 vide Khata No.429. Alleging that the action of the second respondent in not registering the document placed before him as illegal and arbitrary, the present writ petition is filed.

Heard learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.9.2004.

Following the above, this writ petition is disposed of directing the second respondent or any other Registering Officer, that as and when the petitioner submits the document for registration, the same may be accepted and considered for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71

of the Act. No costs.

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(**V.V.S.RAO,J**)

July 25, 2006.

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